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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/528,667	03/22/2005	Magne Mathias Moe	1935-00148	8644

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EXAMINER

BUCHANAN, CHRISTOPHER R

ART UNIT PAPER NUMBER

3671

DATE MAILED: 07/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/528,667

Applicant(s)

MOE, MAGNE MATHIAS

Examiner

Christopher R. Buchanan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17-23 is/are allowed.
- 6) ☒ Claim(s) 9-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 9-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bridges (US 5944111) in view of Freyer et al. (US 5069488).

Regarding claims 9 and 10, Bridges discloses a device for tensioning and relieving an inner tubing (25) extending from a subsea hydrocarbon well up through a riser (13) to a floating installation, a continuous inner tubing extension (84) passing through a telescopic unit (63) in the upper section of the riser (13), extending above the deck on the floating installation (column 4 lines 20-25), characterized in that the inner tubing (25) is provided with a tubing tensioner unit (generally 53, 27, 35, 47) below and in the proximity of the lower end of the telescopic unit (63). The tubing tensioner includes a tubular cylinder (31) and housing (47) integrated with the riser, wherein the housing has a plurality of spring-loaded ratchets that engage a recess in the face of the tubular cylinder (col. 3 line 33+). With regard to claim 11, the inner tubing extends above the deck of the floating installation. With regard to claim 12, the tubing tensioner unit provides a means for maintaining tension on the inner tubing (see abstract). With regard to claim 13, the tubular cylinder includes a means to couple the inner tubing to

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the tubing extension (see Fig. 3). With regard to claim 14, the tubular cylinder is arranged to receive hydraulic pressure in a chamber below a piston (col. 3 line 11+).

With regard to claim 15, the upper end portion of the inner tubing is coupled to a tensioning apparatus (col. 1 line 20+).

The tensioning device of Bridges differs from the instant invention in that it does not show the inner tubing to be production tubing, the device to maintain tension without interrupting production flow through the riser, the ratchets to be located on the tubular cylinder (claims 9 and 10), and the tensioning apparatus to include pulleys, wires, and counterweights (claim 16).

Freyer et al. disclose a device (see Fig. 2) for maintaining tension in a riser pipe (6) that runs between a subsea well and a floating installation, wherein the riser pipe is production tubing (see abstract) and the device operates without interrupting flow through the riser (col. 2 line 25+). Freyer et al. disclose that it is common practice to use pulleys, wires, etc. to provide tubing tension (col. 5 line 30+).

It would have been obvious to one skilled in the art at the time the invention was made to modify the tensioning device of Bridges so that the inner tubing is production tubing, the device maintains tension without interrupting production flow through the riser, and the tensioning apparatus includes pulleys, wires, etc., as taught by Freyer et al., in order to create a more simple and cost effective means for providing tension in flexible riser tubing. Furthermore, it would have been obvious to one skilled in the art that the relative placement of the ratchets and recess (tubular cylinder or housing)

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would be a matter of design choice since the recited placement does not serve any particular purpose or overcome any stated problem.

Response to Arguments

3. Applicant's arguments with respect to claims 9-23 have been considered but are moot in view of the new ground(s) of rejection. Applicant argues that Bridges fails to disclose a tubing tensioner that provides a means for maintaining tension in production tubing without interrupting production flow through the riser. Bridges, however, discloses a device for maintaining tension in an inner tubing contained within a riser. Freyer et al. disclose a device for maintaining tension in a production riser pipe that operates without interrupting flow through the riser. Bridges in view of Freyer et al. disclose the claimed features of the instant invention as stated in claims 9-16 (see rejection above).

Allowable Subject Matter

4. Claims 17-23 are allowed.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

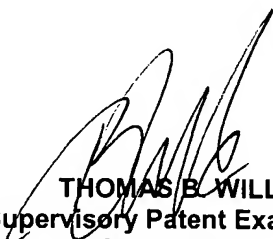
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher R. Buchanan whose telephone number is 571-272-8134. The examiner can normally be reached on Mon.-Fri. 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Will can be reached on 571-272-6998. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CRB



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